IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	CRIM. NO. 04 –
V.	DATE:
JERMAINE BURSTON a/k/a Jermaine Robinson	VIOLATIONS: 21 U.S.C. § 841(a)(1) (Possession with intent to distribute) - 1 count 18 U.S.C. § 924(c) (Possession of a firearm in furtherance of drug trafficking – 1 count) 18 U.S.C. § 922(g)(1) (Possession of a firearm by a convicted felon) – 1 count 21 U.S.C. § 853;18 U.S.C. § 924(d) (Forfeiture notices)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about March 25, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

JERMAINE BURSTON,

a/k/a Jermaine Robinson,

knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectable amount of cocaine base ("crack,"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 25, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

JERMAINE BURSTON,

a/k/a Jermaine Robinson,

knowingly possessed a firearm, that is, a Harrington & Richardson Model 773, .32 caliber handgun, serial number AX113090, loaded with three rounds of ammunition, and a Colt Semi-automatic, .22 caliber long rifle, serial number 018877S, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute cocaine base ("crack") as charged in this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 25, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

JERMAINE BURSTON,

a/k/a Jermaine Robinson,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is: a Harrington & Richardson Model 773, .32 caliber handgun, serial number AX113090, loaded with three rounds of ammunition, and a Colt Semi-automatic, .22 caliber long rifle, serial number 018877S.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF DRUG FORFEITURE

As a result of the violation of Title 21, United States Code, Section 841(A)(1), set forth in this Indictment, defendant

JERMAINE BURSTON, a/k/a Jermain Robinson,

shall forfeit to the United States of America all property which constitutes, or is derived from, any proceeds obtained directly or indirectly by him.

If any of the property subject to forfeiture as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

NOTICE OF FIREARMS AND AMMUNITION FORFEITURE

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1), set forth in this Indictment, defendant

JERMAINE BURSTON,

a/k/a Jermaine Robinson,

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- 1. A Harrington & Richardson Model 773, .32 caliber handgun, serial number AX113090, loaded with three rounds of ammunition, and;
 - 2. A Colt Semi-automatic, .22 caliber long rifle, serial number 0188775.

All pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

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	FOREPERSON	
PATRICK L. MEEHAN United States Attorney		